

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Initially, Applicants would like to thank the Examiner for the indication that claims 1-16 and 28-31 as being allowed and claims 17-27 as being allowable.

In the Official Action, the Examiner objects to the specification as failing to provide a proper antecedent basis for the claimed subject matter. In this regard, the Examiner argues that the term "clip operating device" in claim 17 lacks antecedent basis in the specification and suggests the same be replaced with --clip manipulating device--. Additionally, the Examiner argues that the term "an operating wire" in claim 17 lacks antecedent basis in the specification and suggests the same be replaced with --a manipulating wire--.

In response, claim 17 has been amended as suggested by the Examiner. Accordingly, it is respectfully requested that the objection to the specification be withdrawn.

In the Official Action, the Examiner rejects claims 17-27, 32, and 33 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With regard to claim 17, the Examiner argues that it is unclear what Applicant is referring to by the phrases "an operating wire" and "a clip operating device." In response, as discussed above, claim 17 has been amended as suggested by the Examiner to change term "clip operating device" to --clip manipulating device-- and "an operating wire" to --a manipulating wire--.

With regard to claim 32, the Examiner argues that the phrase "and is engaged to each other" on line 3 thereof is unclear. In this regard, the Examiner suggests the same be changed to --holding means is a stepped section that is provided at each of the arms of said

clip, for engaging said arms to each other--. In response, claim 32 has been amended as suggested by the Examiner. The Examiner also rejects claim 33 but does not indicate a basis for such rejection. However, Applicants assume that the basis for the rejection of claim 33 is similar to the indicated basis for the rejection of claim 32 and have amended claim 33 similarly.

Accordingly, it is respectfully requested that the rejection of claims 17-27, 32, and 33 under 35 U.S.C. § 112, second paragraph, be withdrawn.

In the Official Action, the Examiner rejects claim 34 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,402,765 to Monassevitch et al., (hereinafter "Monassevitch"). Additionally, the Examiner rejects claims 34-40 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,766,189 to Matsuno (hereinafter "Matsuno") in view of Monassevitch.

In response, claims 34-39 have been canceled thereby rendering the rejections thereof moot. Applicants note that claim 40 was canceled in response to the previous Official Action. However, Applicants reserve the right to file one or more continuation applications directed to the canceled subject matter in this application.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone

conference with Applicant's attorneys would be advantageous to the disposition of this case,
the Examiner is requested to telephone the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas Spinelli", written in a cursive style.

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